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## **Conclusion**

The current case law pertaining to the use of deadly force is explained in the cases of *Tennessee v. Garner*, 471 U.S. 1 (1975) and *Graham v. Connor*, 40 U.S. 386 (1989). These cases state that “deadly force” can only be used when an officer has probable cause to believe a suspect poses a significant threat of death or serious bodily injury to the officer or others. Furthermore, the reasonableness of a particular use of force scenario should be judged from the perspective of a reasonable officer on the scene and must embody an allowance for the fact that police officers are often forced to make split-second decisions about the amount of force necessary in a given situation.

On October 7, 2021, the Howard County prosecutor presented testimony from the lead detective and admitted into evidence a copy of the Gaithersburg City Police Department General Orders Governing Use of Force. After the testimony was complete, the grand jurors continued to review previously admitted evidence. Afterwards, the prosecutor explained to the grand jurors the law regarding the use of deadly force as laid out in the *Graham* and *Garner* cases. The prosecutor answered legal questions from the grand jurors before asking the jurors to consider the question of whether they believed the officers actions in this case were legally justified or not legally justified. The prosecutor further explained that if the jurors felt the actions were legally justified, then the case would end at that point as there would be nothing else to consider. If the jurors believed the actions were not legally justified then, at that point, the prosecutor would further explain potential charges. At that point, the prosecutor stepped out of the room while the grand jurors began deliberating. After approximately one hour of deliberations, the foreperson exited the room and indicated to the prosecutor that the grand jurors had reached a decision. The foreperson explained to the prosecutor that the majority felt there was not enough evidence to charge the officers. The prosecutor then went back into the grand jury room, advised the jurors that based on their decision this investigation was now concluded and thanked them for their patience and service.